The specification of which

MERCHANT & GOULD P.C.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MOUNT FRAME FOR BATTERY MODULES AND METHOD FOR MOUNTING BATTERY MODULES USING THE SAME

a. 🔀 is attached hereto b. 🗌 was filed on	an application assist			
(if applicable) (in the case of a PC	as application serial	no.	and was amei	naea on filed
and as amended on				
	(if any), which I have	reviewed and for which	i solicit a Olli	ied States patent.
I hereby state that I have reviewed	and understand the contents of	f the above-identified sp	ecification, ind	cluding the claims, as amended
by any amendment referred to above	ve.			-
I acknowledge the duty to disclose Code of Federal Regulations, § 1.5 I hereby claim foreign priority ben inventor's certificate listed below a filing date before that of the applic no such applications have be such applications have been	6 (attached hereto). efits under Title 35, United Stand have also identified below a ation on the basis of which prices filed.	ates Code, § 119/365 of any foreign application f	any foreign ap or patent or in	plication(s) for patent or ventor's certificate having a
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Fig. 1	EIGN APPLICATION(S), IF ANY,	CLAIMING PRIORITY UN	IDER 35 USC §	119
COUNTRY	APPLICATION NUMBER	DATE OF FILING		DATE OF ISSUE
		(day, month, year)		(day, month, year)
Japan	2000-110694	12 April 2000		
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ALL FORE	IGN APPLICATION(S), IF ANY, F	TILED BEFORE THE PRICE	RITY APPLICA	ATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING		DATE OF ISSUE
		(day, month, year)		(day, month, year)
I hereby claim the benefit under Tit listed below and, insofar as the subapplication in the manner provided material information as defined in application and the national or PCI	ject matter of each of the claim by the first paragraph of Title Fitle 37, Code of Federal Regu	ns of this application is n 35, United States Code, lations, § 1.56(a) which	ot disclosed in § 112, I ackno	the prior United States owledge the duty to disclose
U.S. APPLICATION NUMBER	DATE OF FILING	(day, month, year)	STATUS	(patented, pending, abandoned)
I hereby claim the benefit under Tit	le 35, United States Code § 11	9(e) of any United State	s provisional a	application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER

DATE OF FILING (Day, Month, Year)

Ali, M. Jeffer Reg. No. 46,359 Anderson, Gregg I. Reg. No. 28,828 Lacy, Paul E. Reg. No. 38,946 Batzli, Brian H. Reg. No. 32,960 Larson, James A. Reg. No. 40,433 Beard, John L. Reg. No. 27,612 Liepa, Mara E. Reg. No. 40,066 Berns, John M. Reg. No. 43,496 Lindquist, Timothy A. Reg. No. 40,066 Berns, John M. Reg. No. 41,622 Lycke, Lawrence E. Reg. No. 40,684 Bremer, Dennis C. Reg. No. 41,633 McAuley, Steven A. Reg. No. 38,540 Branch, John W. Reg. No. 40,528 McDonald, Daniel W. Reg. No. 32,044 Bremer, Dennis C. Reg. No. 43,130 McIntyre, Jr., William F. Reg. No. 40,921 Byrne, Linda M. Reg. No. 24,044 Mueller, Douglas P. Reg. No. 40,921 Myrne, Linda M. Reg. No. 24,6597 Pauly, Daniel M. Reg. No. 40,921 Alan G. Reg. No. 33,227 Phillips, Bryan K. Reg. No. 40,990 Caspers, Phillip P. Reg. No. 33,227 Phillips, John B. Reg. No. 37,206 Chiapetta, James R. Reg. No. 39,634 Plunkett, Theodore Clifford, John A. Reg. No. 30,634 Daley, Dennis R. Reg. No. 34,994 Daley, Dennis R. Reg. No. 34,994 Daley, Dennis R. Reg. No. 34,944 Dalglish, Leslie E. Reg. No. 40,579 Baulton, Julie R. Reg. No. 40,579 Reg. No. 25,148 Dalglish, Leslie E. Reg. No. 40,579 Reg. No. 25,148 Dalglish, Leslie E. Reg. No. 42,157 Schmaltz, David G. Reg. No. 25,767 DeVries Smith, Katherine M. Reg. No. 42,157 Schmaltz, David G. Reg. No. 39,637 Clifford, John C. Reg. No. 39,614 Reg. No. 42,157 Schmaltz, David G. Reg. No. 39,627 Diptorto, Mark J. Reg. No. 42,157 Schmaltz, David G. Reg. No. 39,627 Clifford, John C. Reg. No. 31,703 Baulton, Julie R. Reg. No. 44,155 Schmaltz, David G. Reg. No. 39,628 Diptorto, Mark J. Reg. No. 44,155 Schmaltz, David G. Reg. No. 30,306 Grighe, Robert J. Reg. No. 44,125 Schopatra, Bauther, J. Reg. No. 44,125 Schopatra, Bauther, J. Reg. No. 44,125 Schopatra, Janes R. Reg. No. 44,125 Schopatra, Janes R. Reg. No. 33,112 Telekson, David K. Reg. No. 33,112 Tellekson, David K. Reg. No. 33,114 Tellekson, David K. Reg. No. 33,114 Tellekson, David K. Reg. No. 33,144 Hahrer, Curtis B. Reg. No. 44,668 Welter, Faul A. Reg. No. 33,044 Hahrer, Curtis B	Albrecht John W	D N 10 101		
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Vessel Henry I	Keys, Jeramie J.			
	Knearl, Homer L.			Reg. No. 45,255

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I hereby declare that all statements herein of my own knowledge are true and that a sements made on information and belief are believed to be true; and further hese statements were made with the knowledge the villful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Munchisa Pleas Date: Februay 23. 2001					

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§ 1.56 Duty to disclose informat naterial to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - prior art cited in search reports of a foreign patent office in a counterpart application, and (1)
- the closest information over which individuals associated with the filing or prosecution of a patent (2) application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to
- Under this section, information is material to patentability when it is not cumulative to information already of record (b) or being made of record in the application, and
- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a (1) (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - Opposing an argument of unpatentability relied on by the Office, or (i)
 - (ii) Asserting an argument of patentability.

prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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